

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:	Scott Faber, et al.	Examiner:	Daniel Lastra
Serial No.:	09/808,475	Group Art Unit:	3688
Filed:	March 13, 2001	Confirmation:	3558
Title:	Apparatus and Method for Recruiting, Communicating with, and Paying Participants of Interactive Advertising		

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF**1. REAL PARTY IN INTEREST**

The real party in interest is UTBK, Inc., the assignee of record, which is a holding company of Ingenio, Inc., an AT&T company.

2. RELATED APPEALS AND INTERFERENCES

Appellant is not aware of any other prior and pending appeals, interferences or judicial proceedings which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

3. STATUS OF CLAIMS

Claims 6, 13, 15, 21, 28 and 30 have been canceled. Claims 1-5, 7-12, 14, 16-20, 22-27, 29, and 31-45 are rejected and are being appealed. A list of the claims is provided in Appendix A starting on page 18.

4. STATUS OF AMENDMENTS

Subsequent to the final rejection mailed on April 9, 2008, an amendment was filed on July 7, 2008 to place the claims in better condition for appeal, a copy of which is provided in Appendix B starting on page 27. The amendment of July 7, 2008 was not entered.

5. SUMMARY OF CLAIMED SUBJECT MATTER

In one embodiment, a system provides a customer interface screen (e.g., 500, Figure 3) to advertise interactive seminars (e.g., 510, Figure 3). The advertisement in the customer interface screen indicates whether or not the interactive seminar is currently open (e.g., 502 and 504, Figure 3). The advertisements contain links (e.g., 502, Figure 3) which can be selected by customers to request connections with the respective advertisers to join the interactive seminars that are currently open. The connections may be voice connections or video connections (e.g., lines 19-22, page 8), through which the advertisers would have a live conversation with the customers (e.g., the last two lines of paragraph [00027], page 6). The advertisements further present the advertisers' reward offers (e.g., 512, Figure 3) to compensate the time of the customers, based on duration of participation in the interactive seminars. The system tracks the duration of the customer participation based on the duration of the communication connections provided via the advertisements and compensates the customers based on the rates the advertisers offered to reward the customers (e.g., paragraphs [00036-00037], pages 10-11). In one embodiment, during the interactive seminars the system also enables the customers to make purchases from the advertisers and to pay for the purchases by deducting from the rewards (e.g., paragraph [00041], page 12).

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The rejections of claims 1-5, 7-12, 14, 16-20, 22-27, 29, and 31-45 are based upon the following references:

De Rafael: U.S. Patent Application Publication No. 2002/0116256

Dedrick: U.S. Patent No. 5,724,521

Kolls: U.S. Patent No. 6,807,532

Friskel: U.S. Patent No. 6,839,737

Graham: U.S. Patent No. 6,732,183

Katz: U.S. Patent No. 6,323,894

do Rosario Botelho: U.S. Patent Application Publication No. 2002/0069105

A list of grounds of rejections to be reviewed on appeal is provided below.

- Ground 1.** Claims 1-5, 8, 10-12, 16-20, 23, 25-27, 31-36 and 38-42 are rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, and Friskel.
- Ground 2.** Claim 43 is rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, and Friskel.
- Ground 3.** Claim 44 is rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, and Friskel.
- Ground 4.** Claim 45 is rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, Friskel, and Katz.
- Ground 5.** Claims 9, 24 and 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, Friskel, and Graham.
- Ground 6.** Claims 14 and 29 are rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, Friskel, and Graham.
- Ground 7.** Claims 7 and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, Friskel, and do Rosario Botelho.

7. ARGUMENT

Appellant respectfully submits that the cited references, e.g., De Rafael, Dedrick, Kolls, Friskel, Graham, Katz, and do Rosario Botelho, do not disclose or suggest the subject matter as

claimed in the pending applications. For the benefit of the Board, Applicant provides below a brief summary of the references used by the Examiner for the rejections.

De Rafael discloses the use of a processor (10) to ask the user (12) questions and receive answers from the user (12), on behalf of an advertiser (14). From the question-and-answer interaction between the processor (10) and the user (12), the processor (12) collects information and then provides the collected information to the corresponding advertiser (14) (see, e.g., paragraph [0024] of De Rafael).

After the user answers all the automated questions, the computer (16) credits the account of the user. The amount of the credit is predetermined by the advertiser (see, e.g., paragraph [0036] of De Rafael).

Dedrick discloses an apparatus to serve electronic information to users. Each unit of the electronic information has a “cost type” field and a “cost value” field. One example of a cost type is “pay per view” payment method, wherein *the user* pays an associated cost each time the user consumes a unit of information (see, e.g., Col. 13, lines 18-21, Dedrick). Other cost types include payment on a per byte or word of information viewed by the end user, or payment for the period of time that the user consumes the information (see, e.g., Col. 13, lines 23-25, Dedrick). These cost types are *payment* methods, in which the user pays for consuming information.

In addition to the debit models, Dedrick discloses a credit model which credits the end user’s account each time the user views a unit of information (see, e.g., Col. 13, lines 53-56, Dedrick).

Kolls discloses an advertisement which can be touched by the user to cause the system to initiate a call to a preset phone number for voice communication. For example, the user may use the phone call to the restaurant host to inquire as to the wait line for a table, obtain directions and/or make a reservation (Col. 46, lines 34-36, Kolls), or to speak with a sales representative to order a product (Col. 47, lines 14-15, Kolls).

Friskel discloses an email client application that lists the on-line status of each sender of an email using status indicators, such as “ON” for “on-line (sender is logged into the messaging system,” “AC” for “accepting chat” (sender welcomes real-time messaging initiating by the

client user), etc. (see, e.g., Figure 3; lines 9-25, Friskel). Friskel also illustrates a contact file as stored on a messaging system (see, e.g., Figure 4; lines 66-67, Friskel). The contact file has a status that corresponds to the status indicator displayed in the email client application.

Graham discloses a system that can provide a virtual seminar or symposium for an audience of users operating individual client terminals.

Katz discloses that the advent of videophones has enabled users to visually communicate from remote locations (Col. 2, lines 13-14, Katz) and suggests “interactive training sessions or seminars” (Col. 2, line 17-19, Katz).

do Rosario Botelho discloses the display of advertisements in response to a user selecting an ad category preference (Figure 4; paragraph [0045], page 4, do Rosario Botelho).

As stated above, the references do not disclose or suggest the subject matter as claimed in the pending applications. At most, the references, as a whole, would suggest a system in which the user interacts with a processor or computer (as disclosed in De Rafael and/or Dedrick) to consume advertisements and obtain compensations that are predetermined by the advertiser. The user could earn the compensation if the user answers all the questions from the processor or computer of De Rafael, or if the user consumes a unit of information of a credit model of Dedrick, which credits the end user’s account each time the user views a unit of information.

However, clearly the references do not teach or suggest compensating the customer based on the live conversation between the customer and the advertiser, over the communication connection that is established via an interactive advertisement. The examiner’s specific rejections are addressed individually below.

Ground 1: Claims 1-5, 8, 10-12, 16-20, 23, 25-27, 31-36 and 38-42

Claims 1-5, 8, 10-12, 16-20, 23, 25-27, 31-36 and 38-42 are rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, and Friskel. Appellant respectfully disagrees.

Claim 1, for example, recites:

1. (Previously Presented) A method comprising:
providing a list of advertisements to be displayed to a user, wherein one or more of the advertisements comprise a link to be selected by the user to establish a telephonic connection to conduct a real time, person to person, live communication between the user and an advertiser, a rate to compensate the user to conduct the real-time, person to person, live communication with the advertiser, and an indicia of whether the advertiser is currently available for real-time, person to person, live communication with the user;
receiving, from the user, a selection of the link from the list of advertisements;
responsive to the selection of the link, establishing the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items;
compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser to generate a balance to be paid to the user; and
during the session, allowing the user to purchase the one or more items advertised by the advertiser in the session of real time, person to person, live communications by deducting from the balance to be paid to the user. [Empahsis Added]

The examiner admitted that De Rafael fails to teach that the interactive advertisement comprises a link to be selected by the user to establish a telephonic connection to conduct a real time communication between the user and an advertiser. In forming the rejection, the examiner modified De Rafael, in view of Kolls, to include the capability to “connect the user by phone line to a business.”

Nevertheless, the cited references as modified by the examiner, still do not suggest Applicant’s claimed feature of “compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser to generate

a balance to be paid to the user.” Rather, the compensation mechanism of De Rafael requires completion of all the questions asked by the processor or computer, while Dedrick requires the consumption of a unit of information. In addition, Koll’s suggestion of including the capability to call the advertiser, for making reservations or placing orders, would not be sufficient to modify the compensation mechanism of De Rafael or Dedrick (which were designed for compensating the user for interaction with a processor/computer) to provide Applicant’s claimed feature.

In addition, the examiner incorrectly asserted that Dedrick (Col. 13, lines 1-65; Col. 15, lines 25-30) teaches a system that compensates users for interacting with advertisements where said compensation is based upon a “pay per time” rate of said interaction. The “pay per time” method as disclosed in Dedrick is a *payment* method, in which the end user pays for consuming information (see, e.g., Col. 13, lines 18-25, Dedrick).

As discuss in further detail below, even if the “pay per time” of Dedrick were considered as a credit model, the compensation mechanism of Dedrick is still based on the time duration the user interacts with the server apparatus of Dedrick, not based on the live conversation between the user and the advertiser, over the communication connection established via the advertisement, as claimed by Applicant.

A. *Dedrick does not disclose compensating users based on “pay per time”*

In *debit models* of Dedrick, the end users pays for access to information (e.g., database); and in the *credit model* of Dedrick, the publisher credits the end users to encourage the user to consume an advertisement.

Specifically, Dedrick discloses three debit models: Pay Per View, Pay Per Byte, and Pay Per Time. Dedrick explicitly defines a “Pay Per View” debit model, in which “*the end user pays* an associated cost each time the user consumes a unit of information” (Col. 13, lines 18-21, Dedrick). Dedrick (Col. 13, lines 23-25) describes “payment on a per byte or word of information viewed by the end user, or payment for the period of time that the user consumes the information” for “Pay Per Byte” and “Pay Per Time”. These debit models “may be desirable when the end user is accessing a database” (Col. 13, lines 25-29, Dedrick).

Dedrick describes only *one* “credit model”, in which the publisher “credits the end user’s account each time the user views a unit of information” (Col. 13, lines 54-56, Dedrick), which is merely a “Credit Per View” model. Specifically, Dedrick provides an example of the “Credit Per View” model, where “the end user may view an advertisement, wherein the charge associated with the unit of information viewed is credited to the end user’s account and debited to the advertiser’s account” (Col. 14, lines 20-24, Dedrick).

In summary, Dedrick only discusses one credit model, which is limited to a “Per View” type (see, Col. 13, lines 54-56; Col. 14, lines 20-25, Dedrick). The “Per Time” type discussed in Dedrick is limited to the end user paying the publisher according to the period of time that the user consumes the information (Col. 13, lines 24-25, Dedrick), which actually *teaches away* from paying the end user according to a communication duration as claimed by applicant.

As a result, the examiner appears to have mistakenly mixed the teaching of two separate models of Dedrick, i.e., “pay per time” and “credit per view,” to generate the incorrect assertion that Dedrick discloses compensating end users based on “pay per time.”

It is improper to take elements of different models to assemble a new model that does not exist in the cited reference and use the new model as if it were disclosed in the reference. Thus, the rejection of the pending claims under 35 U.S.C. §103(a) is therefore improper and should be reversed.

B. *De Rafael explicitly teaches away from compensating based on time*

De Rafael teaches away from compensating the user based on a time period, by stating that the end user could easily “ignore the substance of the advertisement” and merely accumulate the amount of time to receive credit ([0007], De Rafael).

The examiner ignored this strong evidence of De Rafael teaching away from compensating the user based on a time period. Instead, the examiner relied upon a less relevant teaching of De Rafael to support the examiner’s combination, by pointing to the discussion of “Advertiser 14 may, for example, have processor 10 award more credit for viewing a lengthier interactive advertisement 24” in Paragraph [0036] of De Rafael for support.

However, the length/size of the advertisement is not an indication of the duration of interaction with the central computer. Some users can go through a lengthier advertisement faster than other users going through a shorter advertisement. De Rafael teaches away from compensating the user based on a time period of viewing by stating that the end user could easily “ignore the substance of the advertisement” and merely accumulate the amount of time to receive credit ([0007], De Rafael). Thus, De Rafael’s teaching away from compensating the user based on time applies even in light of the statement of “more credit for viewing a lengthier interactive advertisement” made in De Rafael.

Because De Rafael teaches away from the invention, the rejection of the pending claims under 35 U.S.C. §103(a) is therefore improper and should be reversed.

C. *Wide gap between Dedrick, De Rafael and Kolls and the claimed feature*

At most, a combination of De Rafael, Kolls and Dedrick would merely have an interactive advertisement which 1) allows the user interact with a central computer to answer web questions to get credits (according to De Rafael); 2) allows the user to have a phone connection with the advertiser to order products (according to Kolls); and 3) allows the user to get credit for viewing the advertisement based on a “per view” model (according to Dedrick).

As a result, there is a wide gap between such a combination of De Rafael, Kolls and Dedrick and the Applicant’s claimed feature of compensating the user based on the rate and a duration of the real time communication between the user and the advertiser over the telephonic connection established via the user selecting the link in the advertisement.

In the combination of De Rafael, Kolls and Dedrick, the user gets credits for interacting with the central computer or viewing the advertisement. The user could have a telephonic communication with the advertiser to order products, but not be compensated for the duration of the telephonic communication to order products and thus not be compensated based on duration as claimed by Applicant.

As a result, there is a wide gap between crediting a user for web questions provided to a central computer (or for viewing interactive advertisements) as provided in the combination, and Applicant’s claimed feature of compensating based on a duration of a telephonic communication

with the advertiser. The examiner also failed to provide an explicit analysis required by MPEP¹ to cover the gap. Without such an explicit analysis, the rejections of the pending claims under 35 U.S.C. §103(a) would be similar to piecing words together from a dictionary to form claims using the claims as a template.

Thus, when viewed together, the cited references as a whole fail to disclose or suggest Applicant's claimed features. Moreover, the cited references actually teach away from the combination suggested by the examiner. Therefore, the pending claims are patentable over the cited references. The rejection of the pending claims under 35 U.S.C. §103(a) should therefore be reversed.

Ground 2: Claim 43

Claim 43 is rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, and Friskel. Appellant respectfully disagrees.

Claim 43 recites

43. (Previously Presented) The method of claim 42, wherein the connection for real time communications between one or more users and the advertiser is **separate** from a communications link used in the providing of the web page. [Emphasis Added]

The base claim of claim 43 is claim 41, which recites "wherein the providing the list of advertisements comprises providing a web page including one or more interactive advertising links to receive the selection." The base claim of claim 41 is claim 1 which recites "compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser."

Thus, in the invention as claimed in claim 43, the advertisement is provided over one connection that provides the web page; and the user is compensated for live conversation with

¹ "The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit." (MPEP 2141.III)

the advertiser over a separate connection, which is different from the connection that is used to deliver the advertisement.

However, in the cited references, particularly in De Rafael and Dedrick, the rewards are based on the interaction over the connection between the user and the server processor or computer that presents information.

Since none of the cited references suggests providing advertisements over one connection while compensating the customer for live conversation with the advertiser over a separate connection, the cited references do not disclose all the limitations recited in claim 43.

Thus, the rejection of the claim 43 under 35 U.S.C. §103(a) should therefore be reversed.

Ground 3: Claim 44

Claim 44 is rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, and Friskel. Appellant respectfully disagrees.

Claim 44 recites

44. (Previously Presented) The method of claim 1, wherein the establishing of the connection comprises:
- conferencing** together a first telephone call to the user and a second telephone call to the advertiser. [Emphasis Added]

The base claim of claim 44 is claim 1 which recites “responsive to the selection of the link, establishing the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items” and “compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser”.

Thus, in the invention as claimed in claim 44, the user is compensated for the live conversation with the advertiser over a connection established via conferencing together a first

telephone call to the user and a second telephone call to the advertiser, in response to the user selecting a link provided in the advertisement.

However, in the cited references, particularly in De Rafael and Dedrick, the rewards are based on the interaction over the connection between the user and the server, processor or computer that presents information.

Since none of the cited references suggests compensating the customer for live conversation with the advertiser over a connection established in response to the user selecting the link in the advertisement and established via conferencing separate calls to the user and the advertiser, the cited references do not disclose all the limitations recited in claim 44.

Thus, the rejection of the claim 44 under 35 U.S.C. §103(a) should therefore be reversed.

Ground 4: Claim 45

Claim 45 is rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, Friskel, and Katz. Appellant respectfully disagrees.

Claim 45 recites

45. (Previously Presented) The method of claim 44, wherein the establishing of the connection comprises **joining the user with a current session** of the advertiser communicating with **more than one user** who has selected the link. [Emphasis Added]

The base claim of claim 45 is claim 1 which recites “responsive to the selection of the link, establishing the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items” and “compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser”.

Thus, in the invention as claimed in claim 44, the user is compensated for his or her participating in live conversation with the advertiser, after the user joins a current, pre-existing session, in which more than one user is communicating with the advertiser.

However, in the cited references, particularly in De Rafael and Dedrick, the rewards are based on the interaction over the connection between the user and the server processor or computer that presents information.

Since none of the cited references suggests compensating the customer for his or her participating in live conversation with the advertiser, after the user joins a current, pre-existing session of multiple users communicating with the same advertiser, the cited references do not disclose all the limitations recited in claim 45.

Thus, the rejection of the claim 45 under 35 U.S.C. §103(a) should therefore be reversed.

Ground 5: Claims 9, 24 and 37

Claims 9, 24 and 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, Friskel, and Graham. Appellant respectfully disagrees.

Claim 9, for example, recites

9. (Previously Presented) The method of claim 1, wherein the selection of the link comprises the selection of an interactive seminar link to a selected interactive seminar; the establishing of the connection further comprises:
establishing **a real-time video communications link** between one or more users and an advertiser of the selected interactive seminar;
and
providing additional incentive-based links to the one or more users to provide additional feedback. [Emphasis Added]

The base claim of claim 9 is claim 1 which recites “responsive to the selection of the link, establishing the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items” and

“compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser.”

Thus, in the invention as claimed in claim 9, the user is compensated for live conversation with the advertiser over a video link established in response to the user selecting the link in the advertisement.

However, in the cited references, the rewards are based on the user answering all the questions from the processor or computer of De Rafael or based on consuming information from the server apparatus of Dedrick.

Since none of the cited references suggests compensating the customer for live video conversation with the advertiser, after the user selects a link provided in an advertisement, the cited references do not disclose all the limitations recited in claims 9, 24 and 37. Thus, the rejection of the claims 9, 24 and 37 under 35 U.S.C. §103(a) should therefore be reversed.

Ground 6: Claims 14 and 29

Claims 14 and 29 are rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, Friskel, and Graham. Appellant respectfully disagrees.

Claim 14, for example, recites

14. (Previously Presented) The method of claim 1, further comprising:
responsive to receiving, from an advertiser interface, a request to activate
an interactive seminar advertised by one of the advertisements,
activating the seminar to allow one or more users to select and
participate in the interactive seminar; and
responsive to receiving, from the advertiser interface, a request to de-
activate the interactive seminar, de-activating the interactive
seminar to prevent additional users from participating in the
interactive seminar.

The base claim of claim 14 is claim 1 which recites “responsive to the selection of the link, establishing the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items” and “compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser.”

Thus, in the invention as claimed in claim 14, the user is compensated for live conversation with the advertiser in an interactive seminar which can be selectively activated or deactivated by the advertiser.

However, in the cited references, the rewards are based on the user answering all the questions from the processor or computer of De Rafael or based on consuming information from the server apparatus of Dedrick.

Since none of the cited references suggests compensating the customer for live conversation with the advertiser in an interactive seminar which can be selectively activated or deactivated by the advertiser, the cited references do not disclose all the limitations recited in claims 14 and 29. Thus, the rejection of the claims 14 and 29 under 35 U.S.C. §103(a) should therefore be reversed.

Ground 7: Claims 7 and 22

Claims 7 and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over De Rafael, in view of Dedrick, Kolls, Friskel, and do Rosario Botelho. Appellant respectfully disagrees.

Claim 7, for example, recites

7. (Previously Presented) The method of claim 1, wherein the list of advertisements is provided in response to a selection of one or more of a category of advertisers, an advertiser payment price, advertiser type and advertisement.

The base claim of claim 7 is claim 1 which recites “responsive to the selection of the link, establishing the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items” and “compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser.”

Thus, in the invention as claimed in claim 7, the user may selectively request advertisements; and the user is compensated for his or her time in subsequent live conversation with the advertiser after the user selects the link provided in an advertisement.

However, in the cited references, the rewards are limited to interacting with advertisements on a server, based on the user answering all the questions from the processor or computer of De Rafael or based on consuming information from the apparatus of Dedrick.

Since none of the cited references suggests compensating the customer for subsequent live conversation with the advertiser over the telephonic connection, subsequently established after the user selectively requests advertisements and selects a link in one of the advertisements, the cited references do not disclose all the limitations recited in claims 14 and 29.

Thus, the rejection of the claims 14 and 29 under 35 U.S.C. §103(a) should therefore be reversed.

CONCLUSION

For the foregoing reasons Appellant respectfully submits that the above list of grounds of rejections, which are appealed herein, are improper and should be withdrawn.

Respectfully submitted,

Date: November 11, 2008

/John P. Ward/

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APPENDIX A: CLAIMS

A list of claims rejected by the final Office Action mailed April 9, 2008 is provided below.

1. (Previously Presented) A method comprising:
providing a list of advertisements to be displayed to a user, wherein one or more of the advertisements comprise a link to be selected by the user to establish a telephonic connection to conduct a real time, person to person, live communication between the user and an advertiser, a rate to compensate the user to conduct the real-time, person to person, live communication with the advertiser, and an indicia of whether the advertiser is currently available for real-time, person to person, live communication with the user;
receiving, from the user, a selection of the link from the list of advertisements;
responsive to the selection of the link, establishing the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items;
compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser to generate a balance to be paid to the user; and
during the session, allowing the user to purchase the one or more items advertised by the advertiser in the session of real time, person to person, live communications by deducting from the balance to be paid to the user.
2. (Previously Presented) The method of claim 1, further comprising:
receiving a request from an advertiser to establish an interactive advertising link; and
placing a link for an interactive advertisement among the advertisements.
3. (Original) The method of claim 2, further comprising:
generating a record in an advertiser database, the record including advertiser information contained in the request, wherein the advertiser information includes one or more of a compensation price, real-time advertiser availability, specific type of the

advertisement, languages spoken by the advertiser and additional compensation incentives.

4. (Previously Presented) The method of claim 1, wherein the compensating the user further comprises:
billing the advertiser a billing amount for each interaction with the user; and
transferring the billing amount to the user.
5. (Previously Presented) The method of claim 4, wherein the billing the advertiser further comprises:
measuring a duration of the interaction between the user and the advertiser; and
calculating the billing amount for the advertiser based on the duration of the interaction
and the rate paid by the advertiser.
6. (Canceled)
7. (Previously Presented) The method of claim 1, wherein the list of advertisements is provided in response to a selection of one or more of a category of advertisers, an advertiser payment price, advertiser type and advertisement.
8. (Previously Presented) The method of claim 1, further comprising:
receiving a request from a user for connection to an interactive advertisement system via
a communications link;
establishing a connection between the user and the interactive advertisement system to
provide the user with an interaction with a chosen advertiser; and
providing the user with a list of multiple advertisement types available from the
interactive advertisement system.
9. (Previously Presented) The method of claim 1, wherein the selection of the link comprises the selection of an interactive seminar link to a selected interactive seminar;
the establishing of the connection further comprises:
establishing a real-time video communications link between one or more users and an
advertiser of the selected interactive seminar; and

- providing additional incentive-based links to the one or more users to provide additional feedback.
10. (Previously Presented) The method of claim 1, further comprising:
providing additional incentive-based links to one or more users to provide additional feedback.
 11. (Previously Presented) The method of claim 1, wherein the compensating the user further comprises:
enabling the user to purchase an advertised product with limited availability, such that the user is compensated by having the ability to purchase the advertised product.
 12. (Original) The method of claim 11, further comprising:
charging the user a predetermined amount such that the user is compensated by having the ability to purchase the advertised product; and
transferring the predetermined amount to the advertiser.
 13. (Cancelled)
 14. (Previously Presented) The method of claim 1, further comprising:
responsive to receiving, from an advertiser interface, a request to activate an interactive seminar advertised by one of the advertisements, activating the seminar to allow one or more users to select and participate in the interactive seminar; and
responsive to receiving, from the advertiser interface, a request to de-activate the interactive seminar, de-activating the interactive seminar to prevent additional users from participating in the interactive seminar.
 15. (Canceled)
 16. (Previously Presented) A computer readable storage medium including program instructions that direct a computer to perform a method comprising:
providing a list of advertisements to be displayed to a user, wherein one or more of the advertisements comprise a link to be selected by the user to establish a telephonic connection to conduct a real time, person to person, live communication between

- the user and an advertiser, a rate to compensate the user to conduct the real-time, person to person, live communication with the advertiser, and an indicia of whether the advertiser is currently available for real-time, person to person, live communication with the user;
- receiving, from the user, a selection of the link from the list of advertisements;
- responsive to the selection of the link, establishing the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items;
- compensating the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser to generate a balance to be paid to the user; and
- during the session, allowing the user to purchase the one or more items advertised by the advertiser in the session of real time, person to person, live communications by deducting from the balance to be paid to the user.
17. (Previously Presented) The computer readable storage medium of claim 16, the method further comprising:
- receiving a request from an advertiser to establish an interactive advertising link; and
- placing a link for an interactive advertisement among the advertisements.
18. (Previously Presented) The computer readable storage medium of claim 17, the method further comprising:
- generating a record in an advertiser database, the record including advertiser information contained in the request, wherein the advertiser information includes one or more of a compensation price, real-time advertiser availability, specific type of the advertisement, languages spoken by the advertiser and additional compensation incentives.
19. (Previously Presented) The computer readable storage medium of claim 16, wherein the compensating the user further comprises:
- billing the advertiser a billing amount for each interaction with the user; and
- transferring the billing amount to the user.

20. (Previously Presented) The computer readable storage medium of claim 19, wherein the billing the advertiser further comprises:
measuring a duration of the interaction between the user and the advertiser; and
calculating the billing amount for the advertiser based on the duration of the interaction
and the rate paid by the advertiser.
21. (Canceled)
22. (Previously Presented) The computer readable storage medium of claim 16, wherein the list of advertisements is provided in response to a selection of one or more of a category of advertisers, an advertiser payment price, advertiser type and advertisement.
23. (Previously Presented) The computer readable storage medium of claim 16, wherein the method further comprises:
receiving a request from a user for connection to an interactive advertisement system via
a communications link;
establishing a connection between the user and the interactive advertisement system to
provide the user with an interaction with a chosen advertiser; and
providing the user with a list of multiple advertisement types available from the
interactive advertisement system.
24. (Previously Presented) The computer readable storage medium of claim 16, wherein the selection of the link comprises the selection of an interactive seminar link to a selected interactive seminar; the establishing of the connection further comprises:
establishing a real-time video communications link between one or more users and a
provider of the selected interactive seminar;
providing additional incentive-based links to the one or more users to provide additional
feedback; and
enabling the one or more users to purchase one or more items advertised by the
interactive seminar.
25. (Previously Presented) The computer readable storage medium of claim 16, wherein the method further comprises:

- providing additional incentive-based links to one or more users to provide additional feedback; and
- enabling the one or more users to purchase one or more items advertised by the selected link.
26. (Previously Presented) The computer readable storage medium of claim 16, wherein the compensating the user further comprises:
- enabling the user to purchase an advertised product with limited availability, such that the user is compensated by having the ability to purchase the advertised product.
27. (Previously Presented) The computer readable storage medium of claim 16, the method further comprising:
- charging the user a predetermined amount such that the user is compensated by having the ability to purchase the advertised product; and
- transferring the predetermined amount to the advertiser.
28. (Cancelled)
29. (Previously Presented) The computer readable storage medium of claim 16, wherein the method further comprises:
- responsive to receiving, from an advertiser interface, a request to activate an interactive seminar advertised by one of the advertisements, activating the seminar to allow one or more users to select and participate in the interactive seminar; and
- responsive to receiving, from the advertiser interface, a request to de-activate the interactive seminar, de-activating the interactive seminar to prevent additional users from participating in the interactive seminar.
30. (Canceled)
31. (Previously Presented) An online incentive-based advertising system comprising:
- a user interface to provide a list of advertisements to be displayed to a user, wherein one or more of the advertisements comprise a link to be selected by the user to establish a telephonic connection to conduct a real time, person to person, live communication between the user and an advertiser, a rate to compensate the user

- to conduct the real-time, person to person, live communication with the advertiser, and an indicia of whether the advertiser is currently available for real-time, person to person, live communication with the user;
- a processor to, responsive to a selection of the link from the list of advertisements, establish the telephonic connection for a session of real time, person to person, live communications between the user and the advertiser to advertise one or more items;
- a compensation unit to compensate the user based on the rate and a duration of the real time, person to person, live communications between the user and the advertiser to generate a balance to be paid to the user; and
- a unit to allow the user to purchase, during the session, the one or more items advertised by the advertiser in the session of real time, person to person, live communications by deducting from the balance to be paid to the user.
32. (Previously Presented) The system of claim 31, wherein the user interface: provides the user with a list of fields of advertisements, accepts a type of advertisements desired by the user, provides the user with a list of interactive advertisements stored in an advertisement database which match the type of advertisement desired by the user, and receives the selection from the user.
33. (Previously Presented) The system of claim 31, further comprising: an advertiser interface to receive a request from an advertiser to establish an interactive advertising link, and generate a record in an advertisement database, the record including provider information contained in the request.
34. (Original) The system of claim 33, wherein the provider information includes one or more of a compensation price, real-time advertiser availability, specific type of the advertisement, languages spoken by the advertiser and additional compensation incentives.
35. (Previously Presented) The system of claim 31, further comprising: a public switched telephone network interface coupled to the processor to connect the user to the advertiser.

36. (Previously Presented) The system of claim 31, further comprising:
a wireless communications network interface coupled to the processor to connect the user to the advertiser.
37. (Previously Presented) The system of claim 31, wherein the connection comprises:
a video link to connect the user to the advertiser.
38. (Previously Presented) The system of claim 31, wherein the connection comprises:
a voice communication link to connect the user to the advertiser.
39. (Previously Presented) The system of claim 31, further comprising:
a banner advertisement link module to generate an interactive advertisement link as a banner advertisement in a web page.
40. (Previously Presented) The system of claim 31, further comprising:
a banner advertisement link module to generate an interactive advertisement link as a banner advertisement in a web page returned from a search engine web site.
41. (Previously Presented) The method of claim 1, wherein the selection of the link comprises a selection of a link to an interactive poll; and wherein a user selecting the poll is compensated for providing a response to the poll.
42. (Previously Presented) The method of claim 1, wherein the providing the list of advertisements comprises providing a web page including one or more interactive advertising links to receive the selection.
43. (Previously Presented) The method of claim 42, wherein the connection for real time communications between one or more users and the advertiser is separate from a communications link used in the providing of the web page.
44. (Previously Presented) The method of claim 1, wherein the establishing of the connection comprises:

conferencing together a first telephone call to the user and a second telephone call to the advertiser.

45. (Previously Presented) The method of claim 44, wherein the establishing of the connection comprises joining the user with a current session of the advertiser communicating with more than one user who has selected the link.

APPENDIX B: AMENDMENT

The amendment presented on July 7, 2008, which was not entered, is provided below.

1. (Not Entered) A computer implemented method comprising:
providing a list of advertisements to be displayed to a user, wherein one or more of the advertisements comprise
a link to be selected by the user to establish a telephonic connection to conduct a real time, ~~person to person, live~~ communication between the user and an advertiser,
a rate to compensate the user to conduct the ~~real time, person to person, live~~ real time communication with the advertiser, and
an indicia of whether the advertiser is currently available for ~~real time, person to person, live~~ real time communication with the user;
receiving, from the user, a selection of the link from the list of advertisements;
responsive to the selection of the link, causing the establishing of the telephonic connection for a session of ~~the real time, person to person, live communications~~ communication between the user and the advertiser to advertise one or more items; via a computer, compensating the user based on the rate and a duration of the real time; ~~person to person, live communications~~ communication between the user and the advertiser to generate a balance to be paid to the user; and
during the session, allowing the user to purchase the one or more items advertised by the advertiser in the session of ~~the real time, person to person, live communications~~ communication by deducting from the balance to be paid to the user.
2. (Previously Presented) The method of claim 1, further comprising:
receiving a request from an advertiser to establish an interactive advertising link; and
placing a link for an interactive advertisement among the advertisements.
3. (Original) The method of claim 2, further comprising:
generating a record in an advertiser database, the record including advertiser information contained in the request, wherein the advertiser information includes one or more of a compensation price, real-time advertiser availability, specific type of the

advertisement, languages spoken by the advertiser and additional compensation incentives.

4. (Previously Presented) The method of claim 1, wherein the compensating the user further comprises:
billing the advertiser a billing amount for each interaction with the user; and
transferring the billing amount to the user.
5. (Previously Presented) The method of claim 4, wherein the billing the advertiser further comprises:
measuring a duration of the interaction between the user and the advertiser; and
calculating the billing amount for the advertiser based on the duration of the interaction
and the rate paid by the advertiser.
6. (Canceled)
7. (Previously Presented) The method of claim 1, wherein the list of advertisements is provided in response to a selection of one or more of a category of advertisers, an advertiser payment price, advertiser type and advertisement.
8. (Not Entered) The method of claim 1, further comprising:
receiving a request from a user for connection to an interactive advertisement system via
a communications link;
causing the establishing of a connection between the user and the interactive
advertisement system to provide the user with an interaction with a chosen
advertiser; and
providing the user with a list of multiple advertisement types available from the
interactive advertisement system.
9. (Not Entered) The method of claim 1, wherein the selection of the link comprises the selection of an interactive seminar link to a selected interactive seminar; the establishing of the connection further comprises:
establishing a ~~real-time~~ real time video communications link between one or more users
and an advertiser of the selected interactive seminar; and

- providing additional incentive-based links to the one or more users to provide additional feedback.
10. (Previously Presented) The method of claim 1, further comprising:
providing additional incentive-based links to one or more users to provide additional feedback.
 11. (Previously Presented) The method of claim 1, wherein the compensating the user further comprises:
enabling the user to purchase an advertised product with limited availability, such that the user is compensated by having the ability to purchase the advertised product.
 12. (Original) The method of claim 11, further comprising:
charging the user a predetermined amount such that the user is compensated by having the ability to purchase the advertised product; and
transferring the predetermined amount to the advertiser.
 13. (Cancelled)
 14. (Previously Presented) The method of claim 1, further comprising:
responsive to receiving, from an advertiser interface, a request to activate an interactive seminar advertised by one of the advertisements, activating the seminar to allow one or more users to select and participate in the interactive seminar; and
responsive to receiving, from the advertiser interface, a request to de-activate the interactive seminar, de-activating the interactive seminar to prevent additional users from participating in the interactive seminar.
 15. (Canceled)
 16. (Not Entered) A computer readable storage medium including program instructions that direct a computer to perform a method comprising:
providing a list of advertisements to be displayed to a user, wherein one or more of the advertisements comprise

a link to be selected by the user to establish a telephonic connection to conduct a real time, ~~person to person~~, live communication between the user and an advertiser,

a rate to compensate the user to conduct the ~~real time, person to person, live~~ real time communication with the advertiser, and

an indicia of whether the advertiser is currently available for ~~real time, person to person, live~~ real time communication with the user;

receiving, from the user, a selection of the link from the list of advertisements;

responsive to the selection of the link, causing the establishing of the telephonic connection for a session of the real time, ~~person to person, live communications~~ communication between the user and the advertiser to advertise one or more items;

compensating, via a computer, the user based on the rate and a duration of the real time, ~~person to person, live communications~~ communication between the user and the advertiser to generate a balance to be paid to the user; and

during the session, allowing the user to purchase the one or more items advertised by the advertiser in the session of the real time, ~~person to person, live communications~~ communication by deducting from the balance to be paid to the user.

17. (Previously Presented) The computer readable storage medium of claim 16, the method further comprising:
receiving a request from an advertiser to establish an interactive advertising link; and
placing a link for an interactive advertisement among the advertisements.
18. (Previously Presented) The computer readable storage medium of claim 17, the method further comprising:
generating a record in an advertiser database, the record including advertiser information contained in the request, wherein the advertiser information includes one or more of a compensation price, real-time advertiser availability, specific type of the advertisement, languages spoken by the advertiser and additional compensation incentives.

19. (Previously Presented) The computer readable storage medium of claim 16, wherein the compensating the user further comprises:
billing the advertiser a billing amount for each interaction with the user; and
transferring the billing amount to the user.
20. (Previously Presented) The computer readable storage medium of claim 19, wherein the billing the advertiser further comprises:
measuring a duration of the interaction between the user and the advertiser; and
calculating the billing amount for the advertiser based on the duration of the interaction
and the rate paid by the advertiser.
21. (Canceled)
22. (Previously Presented) The computer readable storage medium of claim 16, wherein the list of advertisements is provided in response to a selection of one or more of a category of advertisers, an advertiser payment price, advertiser type and advertisement.
23. (Not Entered) The computer readable storage medium of claim 16, wherein the method further comprises:
receiving a request from a user for connection to an interactive advertisement system via
a communications link;
causing the establishing of a connection between the user and the interactive
advertisement system to provide the user with an interaction with a chosen
advertiser; and
providing the user with a list of multiple advertisement types available from the
interactive advertisement system.
24. (Not Entered) The computer readable storage medium of claim 16, wherein the selection of the link comprises the selection of an interactive seminar link to a selected interactive seminar; the establishing of the connection further comprises:
establishing a ~~real-time~~ real time video communications link between one or more users
and a provider of the selected interactive seminar;

- providing additional incentive-based links to the one or more users to provide additional feedback; and
- enabling the one or more users to purchase one or more items advertised by the interactive seminar.
25. (Previously Presented) The computer readable storage medium of claim 16, wherein the method further comprises:
- providing additional incentive-based links to one or more users to provide additional feedback; and
- enabling the one or more users to purchase one or more items advertised by the selected link.
26. (Previously Presented) The computer readable storage medium of claim 16, wherein the compensating the user further comprises:
- enabling the user to purchase an advertised product with limited availability, such that the user is compensated by having the ability to purchase the advertised product.
27. (Previously Presented) The computer readable storage medium of claim 16, the method further comprising:
- charging the user a predetermined amount such that the user is compensated by having the ability to purchase the advertised product; and
- transferring the predetermined amount to the advertiser.
28. (Cancelled)
29. (Previously Presented) The computer readable storage medium of claim 16, wherein the method further comprises:
- responsive to receiving, from an advertiser interface, a request to activate an interactive seminar advertised by one of the advertisements, activating the seminar to allow one or more users to select and participate in the interactive seminar; and
- responsive to receiving, from the advertiser interface, a request to de-activate the interactive seminar, de-activating the interactive seminar to prevent additional users from participating in the interactive seminar.

30. (Canceled)

31. (Not Entered) An online incentive-based advertising system comprising:

a user interface to provide a list of advertisements to be displayed to a user, wherein one or more of the advertisements comprise

a link to be selected by the user to establish a telephonic connection to conduct a real time, ~~person to person~~, live communication between the user and an advertiser,

a rate to compensate the user to conduct the ~~real time, person to person, live~~ real time communication with the advertiser, and

an indicia of whether the advertiser is currently available for ~~real time, person to person, live~~ real time communication with the user;

a processor [[to]], responsive to a selection of the link from the list of advertisements, to cause the establishing of ~~establish~~ the telephonic connection for a session of the ~~real time, person to person, live communications~~ communication between the user and the advertiser to advertise one or more items;

a compensation unit to compensate the user based on the rate and a duration of the real time, ~~person to person, live communications~~ communication between the user and the advertiser to generate a balance to be paid to the user; and

a unit to allow the user to purchase, during the session, the one or more items advertised by the advertiser in the session of the ~~real time, person to person, live communications~~ communication by deducting from the balance to be paid to the user.

32. (Previously Presented) The system of claim 31, wherein the user interface: provides the user with a list of fields of advertisements, accepts a type of advertisements desired by the user, provides the user with a list of interactive advertisements stored in an advertisement database which match the type of advertisement desired by the user, and receives the selection from the user.
33. (Previously Presented) The system of claim 31, further comprising: an advertiser interface to receive a request from an advertiser to establish an interactive advertising link, and generate a record in an advertisement database, the record including provider information contained in the request.
34. (Original) The system of claim 33, wherein the provider information includes one or more of a compensation price, real-time advertiser availability, specific type of the advertisement, languages spoken by the advertiser and additional compensation incentives.
35. (Previously Presented) The system of claim 31, further comprising: a public switched telephone network interface coupled to the processor to connect the user to the advertiser.
36. (Previously Presented) The system of claim 31, further comprising: a wireless communications network interface coupled to the processor to connect the user to the advertiser.
37. (Previously Presented) The system of claim 31, wherein the connection comprises: a video link to connect the user to the advertiser.
38. (Previously Presented) The system of claim 31, wherein the connection comprises: a voice communication link to connect the user to the advertiser.
39. (Previously Presented) The system of claim 31, further comprising: a banner advertisement link module to generate an interactive advertisement link as a banner advertisement in a web page.

40. (Previously Presented) The system of claim 31, further comprising:
a banner advertisement link module to generate an interactive advertisement link as a
banner advertisement in a web page returned from a search engine web site.
41. (Previously Presented) The method of claim 1, wherein the selection of the link
comprises a selection of a link to an interactive poll; and wherein a user selecting the poll
is compensated for providing a response to the poll.
42. (Previously Presented) The method of claim 1, wherein the providing the list of
advertisements comprises providing a web page including one or more interactive
advertising links to receive the selection.
43. (Previously Presented) The method of claim 42, wherein the connection for real time
communications between one or more users and the advertiser is separate from a
communications link used in the providing of the web page.
44. (Previously Presented) The method of claim 1, wherein the establishing of the connection
comprises:
conferencing together a first telephone call to the user and a second telephone call to the
advertiser.
45. (Previously Presented) The method of claim 44, wherein the establishing of the
connection comprises joining the user with a current session of the advertiser
communicating with more than one user who has selected the link.

APPENDIX C: EVIDENCE

None.

APPENDIX D: RELATED PROCEEDINGS

None.